

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 19, 2004**

CRIM            THE PEOPLE  
No.             v.  
G031061       SHAUN ERIC WRIGHT

Order filed. Submission of the above matter is vacated. The parties are ordered to brief the issue of whether the trial court's failure to instruct regarding the compassionate use defense was harmless error. All parties shall have up to and including May 17, 2004, to file their supplemental briefs. On May 18, the matter will be resubmitted for the period allowed by law. (Cal. Rules of Court, rule 23(e)(1).)

Sills, P.J.

We concur:    Bedsworth, J.  
                     Moore, J.

CRIM            THE PEOPLE  
No.             v.  
G031429       RUSSELL PORTER WALSH

Not for publication

Opinion filed. Judgment affirmed.

Moore, J.

We concur:    Bedsworth, Acting P.J.  
                     Fybel, J.

CIVIL           ARTHUR MASAOKA et al.  
No.             v.  
G031743       SIDNEY GREENBAUM et al.

Order filed. Pursuant to California rules of Court, rule 23(e)(1), submission of the above matter is hereby vacated and the cause resubmitted as of this date for a period allowed by law. The issues raised require additional time to study the circulating opinion. (Cal. Rules of Court, rule 23(e)(1).)

Sills, P.J.

We concur:    Bedsworth, J.  
                     Aronson, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 19, 2004 (Cont'd)**

CIVIL  
No.  
G033276

ORANGE COUNTY SOCIAL  
SERVICES AGENCY  
v.  
DONELL E.

Not for publication

Opinion filed. Judgment reversed and remanded pursuant to stipulation of the parties.

Sills, P.J.

We concur: Rylaarsdam, J.  
Ikola, J.

CIVIL  
No.  
G033357

ORANGE COUNTY SOCIAL  
SERVICES AGENCY  
v.  
CYNTHIA M.

Not for publication

Opinion filed. Judgment reversed and remanded pursuant to stipulation of the parties.

Sills, P.J.

We concur: Rylaarsdam, J.  
Ikola, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 20, 2004**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California, 92701. Panel members are Rylaarsdam, Acting P.J., Moore, J., Aronson, J., and Ikola, J. M. Urena, Deputy Clerk attending.

CIVIL            YEN L. TANG  
No.                v.  
G032277        CHON GUTIERREZ, Director of DMV

Merits. Cause called. Robison Harley argues for appellant. Elizabeth Hong, Deputy Attorney General argues for respondent. Cause submitted.

CIVIL            MICHAEL JUNG  
No.                v.  
G033218        ORANGE COUNTY SUPERIOR COURT;  
                     LINDA ROGERS

Merits. Cause called. Bradley R. Kirk argues for petitioner. Stephen M. Magro argues for real parties in interest. Cause submitted.

CIVIL            OSO VALLEY GREENBELT ASSOCIATION  
No.                v.  
G031488        SCOTT P. HOLCOMB

Merits. Cause called. Appellant Scott P. Holcomb argues on his own behalf. Richard E. Mellenger argues for respondent. Cause submitted.

CIVIL            JACQUELINE HETLAND  
No.                v.  
G032610        KIM W. HETLAND

Merits. Cause called. Ralph T. Evans argues for appellant. Deanna S. Epstein argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 20, 2004 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California, 92701. Panel members are Rylaarsdam, Acting P.J., Bedsworth, J., and O'Leary, J. M. Urena, Deputy Clerk attending.

CIVIL            LUCILLE GEORGE  
No.                v.  
G032711        MICHELE VON

Merits. Cause called. Celinda Tabucci argues for appellant. John M. Beall argues for respondent. Cause submitted.

CIVIL            COUNTY OF ORANGE  
No.                v.  
G032519        CONTINENTAL HERITAGE INSURANCE COMPANY

Merits. Cause called. Diana R. Griffiths argues for appellants. Leon J. Page, Deputy County Counsel argues for respondent. Cause submitted.

CIVIL            ROBIN B.  
No.                v.  
G033450        ORANGE COUNTY SUPERIOR COURT;  
                     ORANGE COUNTY SOCIAL SERVICES AGENCY

Merits. Cause called. Paul DeQuattro, Deputy Public Defender argues for petitioner. Jeannie Su, Deputy County Counsel argues for real party in interest. Craig E. Arthur argues for the minor. Cause submitted.

CIVIL            WILLIAM G. SHAW  
No.                v.  
G031505        GAR JACOBS et al.

Merits. Cause called. Wayne W. Call argues for appellants and cross-respondents. Steven C. Smith argues for respondent and cross-appellant. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 20, 2004 (Cont'd)**

CIVIL            GLEN WINTER  
No.                v.  
G032567        CAPITAL ONE BANK

Merits. Cause called. Barry L. Kramer argues for appellant. James R. McGuire argues for respondent. Cause submitted.

CIVIL            COUNTY OF ORANGE  
No.                v.  
G031899        ALISTAR INSURANCE COMPANY et al.

Merits. Cause called. Kenneth R. Wright argues for appellants. Leon J. Page, Deputy County Counsel argues for respondent. Cause submitted.

CIVIL            KAREN BJURMAN  
No.                v.  
G031887        CHON GUTIERREZ, as Director, etc.

Merits. Cause called. Chris A. Knudsen, Deputy Attorney General argues for appellant. Barry T. Simons argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 20, 2004 (Cont'd)**

CIVIL           ANGELA MORAN  
No.            v.  
G031179       OSO VALLEY GREENBELT  
                 ASSOCIATION

Order filed granting request for publication. No change in judgment.  
Moore, J.

We concur:   Sills, P.J.  
                 Rylaarsdam, J.

CIVIL           WEN-YI CHOU  
No.            v.  
G031589       DA-CHEN SHIEH

Not for publication

Opinion filed. Judgment affirmed.

Bedsworth, Acting P.J.

We concur:   Aronson, J.  
                 Ikola, J.

CIVIL           JACK W. MILLIKAN, as Trustee, etc.  
No.            v.  
G031944       AMERICAN SPECTRUM REAL  
                 ESTATE SERVICES CALIFORNIA, INC.

Certified for publication

Opinion filed. Judgment affirmed.

Ikola, J.

We concur:   Moore, Acting P.J.  
                 Fybel, J.

CIVIL           JEFFREY MARTIN WHITE  
No.            v.  
G032239       KATHERINE PAIGE WHITE

Not for publication

Opinion filed. Judgment reversed.

Bedsworth, Acting P.J.

We concur:   Moore, J.  
                 Fybel, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 20, 2004 (Cont'd)**

|         |                      |                     |
|---------|----------------------|---------------------|
| CRIM    | THE PEOPLE           | Not for publication |
| No.     | v.                   |                     |
| G032781 | PAUL MURRAY AYDELOTT |                     |

Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Moore, J.  
Fybel, J.

|         |                      |                     |
|---------|----------------------|---------------------|
| CIVIL   | ORANGE COUNTY SOCIAL | Not for publication |
| No.     | SERVICES AGENCY      |                     |
| G033043 | v.                   |                     |
|         | CRYSTAL F.           |                     |

Opinion filed. Judgment affirmed.

Rylaarsdam, Acting P.J.

We concur: O'Leary, J.  
Moore, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 21, 2004**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California, 92701. Panel members are O’Leary, Acting P.J., Moore, J., and Ikola, J. M. Urena, Deputy Clerk attending.

CRIM            THE PEOPLE  
No.            v.  
G031917      ABRAHAM G. JIMENEZ

Merits. Cause called. Patrick M. Ford argues for appellant. Elizabeth Voorhies, Deputy Attorney General argues for respondent. Cause submitted.

CRIM            THE PEOPLE  
No.            v.  
G032261      ERIK C.

Merits. Cause called. Jean Ballantine argues for appellant. Lisa Jacobson, Deputy Attorney General argues for respondent. Cause submitted.

CRIM            THE PEOPLE  
No.            v.  
G031964      JAMES CHUNG

Merits. Cause called. J. Courtney Shevelson argues for appellant. Lisa Jacobson, Deputy Attorney General argues for respondent. Cause submitted.

CRIM            THE PEOPLE  
No.            v.  
G031810      TONY A. WATSON

Merits. Cause called. J. Courtney Shevelson argues for appellant. Ivy Fitzpatrick, Deputy Attorney General argues for respondent. Cause submitted.

CIVIL           LAGUNA HOLDINGS, LLC  
No.            v.  
G031548      TELNET LLC et al.

Merits. Cause called. Cosmo A. Taormina argues for appellant. Tyree P. Jones argues for respondents. Cause submitted.



**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 21, 2004 (Cont'd)**

CIVIL            MESHKANI CO., INC. et al.  
No.                v.  
G031813        TATSUYA MITZUSHIMA

Merits. Cause called. Suzanne M. Rehmani argues for appellants. Kevin M. Fong argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 21, 2004 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California, 92701. Panel members are Rylaarsdam, Acting P. J., Fybel, J., and Ikola, J. M. Urena, Deputy Clerk attending.

CRIM            THE PEOPLE  
No.             v.  
G032626       LYNN L. JENKINS

Merits. Cause called. Stephan Sauer, Deputy District Attorney argues for appellant. Maureen J. Shanahan argues for respondent. Cause submitted.

CRIM            THE PEOPLE  
No.             v.  
G031011       TREVOR A. MORGAN

Merits. Cause called. William J. Kopeny argues for appellant. Felicity Senoski, Deputy Attorney General argues for respondent. Cause submitted.

CRIM            THE PEOPLE  
No.             v.  
G031508       ROBERT VASAK et al.

Merits. Cause called. Richard L. Schwartzberg argues for appellant Robert Vasak. Athena Shudde made no appearance for appellant Seng C. Truong. Marilyn George, Deputy Attorney General argues for respondent. Counsel for appellant Robert Vasak to file a supplemental brief by 4:00 p.m. on April 23, 2004. Respondent to file a supplemental brief by 4:00 p.m. on April 30, 2004. Cause to be submitted on April 30, 2004.

CRIM            THE PEOPLE  
No.             v.  
G032089       STEVEN WARSOP

Merits. Cause called. John L. Dodd argues for appellant. Teresa Torreblanca, Deputy Attorney General argues for respondent. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 21, 2004 (Cont'd)**

CRIM            THE PEOPLE  
No.            v.  
G032029      DEREK S. McDONALD

Merits. Cause called. Cindi B. Mishkin argues for appellant. Robert Foster, Supervising Deputy Attorney General argues for respondent. Cause submitted.

CRIM            THE PEOPLE  
No.            v.  
G030393      THOMAS M. MURPHY

Merits. Cause called. William J. Kopeny argues for appellant. Tami F. Hennick, Deputy Attorney General argues for respondent. Appellant to file a supplemental letter brief by 4:00 p.m. on May 21, 2004. Respondent to file a supplemental letter brief by 4:00 p.m. on June 4, 2004. Appellant to file a supplemental reply by 4:00 p.m. on June 11, 2004. Cause to be submitted on June 11, 2004.

CRIM            THE PEOPLE  
No.            v.  
G032323      EDWARD ESCARCEGA

Merits. Cause called. Arthur Martin argues for appellant. Tami Hennick, Deputy Attorney General argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 21, 2004 (Cont'd)**

CIVIL           FRIEDMAN PROFESSIONAL  
No.           MANAGEMENT CO., INC.  
G030808       v.  
              NORCAL MUTUAL INSURANCE  
              COMPANY

Order filed. Pursuant to rule 23(e)(1), of the California Rules of Court, submission of the above matter is hereby vacated and the cause resubmitted as of this date for the period allowed by law to allow additional time for the preparation of the court's opinion.

Sills, P.J.

We concur: Moore, J.  
              Aronson, J.

CIVIL           M. STEPHEN COONTZ et al.  
No.           v.  
G030959       CHARLES F. COOK et al.

Order filed. Pursuant to rule 23(e)(1), of the California Rules of Court, submission of the above matter is hereby vacated and the cause resubmitted as of this date for the period allowed by law to allow additional time for the preparation of the court's opinion.

Sills, P.J.

We concur: Rylaarsdam, J.  
              O'Leary, J.

CRIM           THE PEOPLE  
No.           v.  
G033176       EDGAR L.

Not for publication

Opinion filed. Judgment affirmed.

Ikola, J.

We concur: Rylaarsdam, Acting P.J.  
              Aronson, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 22, 2004**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California, 92701. Panel members are Bedsworth, Acting P. J., Aronson, J., and Fybel, J. M. Urena, Deputy Clerk attending.

CRIM            THE PEOPLE  
No.            v.  
G032389      JORGE L. VALENCIA

Merits. Cause called. Allen G. Weinberg argues for appellant. Hector Jimenez, Deputy Attorney General argues for respondent. Cause submitted.

CRIM            THE PEOPLE  
No.            v.  
G032124      CARLOS A. CORTEZ

Merits. Cause called. Robison Harley argues for appellant. Hector Jimenez, Deputy Attorney General argues for respondent. Cause submitted.

CRIM            THE PEOPLE  
No.            v.  
G032016      OSCAR GONZALEZ

Merits. Cause called. Cynthia Sorman argues for appellant. Charles Ragland, Deputy Attorney General argues for respondent. Cause submitted.

CRIM            THE PEOPLE  
No.            v.  
G032142      PHUC LY

Merits. Cause called. Eric T. Smith argues for appellant. Kelley Johnson, Deputy Attorney General argues for respondent. Cause submitted.

CRIM            THE PEOPLE  
No.            v.  
G030494      MICHAEL WOODS

Merits. Cause called. Dennis A. Fischer argues for appellant. Susan Miller, Deputy Attorney General argues for respondent. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 22, 2004 (Cont'd)**

|         |             |
|---------|-------------|
| CRIM    | THE PEOPLE  |
| No.     | v.          |
| G031552 | JOE WILLIAM |

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|         |                   |
|---------|-------------------|
|         | In re JOE WILLIAM |
| G032460 | on                |
|         | Habeas Corpus     |

Merits. Cause called. Susan K. Keiser argues for appellant and petitioner. Kelley Johnson, Deputy Attorney General argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 22, 2004 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California, 92701. Panel members are Rylaarsdam, Acting P. J., O'Leary, J., Moore, J., and Ikola, J. M. Urena, Deputy Clerk attending.

CIVIL            HELENA G. DINER  
No.                v.  
G026188        ALAN I. DINER

Merits. Cause called. Appellant Alan I. Diner argues on his own behalf. Steven E. Briggs argues for respondent. Cause argued together with G028555. Cause submitted.

CIVIL            HELENA G. DINER  
No.                v.  
G028555        ALAN I. DINER

Merits. Cause called. Appellant Alan I. Diner argues on his own behalf. Steven E. Briggs argues for respondent. Cause argued together with G026188. Cause submitted.

CIVIL            LINDA LEBRILLA et al.  
No.                v.  
G031069        FARMERS GROUP INC. et al.

Merits. Cause called. Kevin K. Green argues for appellants. Raoul D. Kennedy argues for respondents. Cause submitted.

CIVIL            JAMES C. WOODWARD et al.  
No.                v.  
G031422        WASHINGTON MUTUAL BANK et al.

Merits. Cause called. Appellant James C. Woodward argues on his own behalf. No appearance made by appellant Jane G. Woodward. Eric D. Houser argues for respondent Washington Mutual Bank. Mitchel J. Ezer argues for respondent Smales Family Trust. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 22, 2004 (Cont'd)**

CIVIL            GUANG-SHI LIN  
No.                v.  
G032352        SEVERSON & WERSON et al.

Merits. Cause called. Jan T. Chilton argues for appellants. Stephen F. Dial argues for respondent. Cause argued together with G032420. Cause submitted.

CIVIL            SUNRISE SECURITY MORTGAGE et al.  
No.                v.  
G032420        FIRST FRANKLIN FINANCIAL CORP. et al.

Merits. Cause called. Jan T. Chilton argues for appellants and cross-respondents. Gary S. Mobley argues for respondents and cross-appellants. Cause argued together with G032352. Cause submitted.

Court declared a recess.



**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 22, 2004 (Cont'd)**

|                         |   |                         |
|-------------------------|---|-------------------------|
| CRIM<br>No.<br>G031437  | THE PEOPLE<br>v.<br>JUAN MANUEL MORENO              | Not for publication     |
|                         | Opinion filed. Judgment affirmed.                   |                         |
|                         | We concur: Rylaarsdam, Acting P. J.<br>Aronson, J.  | O'Leary, J.             |
| CIVIL<br>No.<br>G032188 | JOHN C. HSU<br>v.<br>FIRE INSURANCE EXCHANGE et al. | Not for publication     |
|                         | Opinion filed. Judgment Affirmed.                   |                         |
|                         | We concur: Aronson, J.<br>Ikola, J.                 | Bedsworth, Acting P. J. |
| CRIM<br>No.<br>G032294  | THE PEOPLE<br>v.<br>RONNIE JONATHAN A.              | Not for publication     |
|                         | Opinion filed. Judgment affirmed.                   |                         |
|                         | We concur: Rylaarsdam, Acting P. J.<br>Aronson, J.  | O'Leary, J.             |
| CIVIL<br>No.<br>G032346 | MARK HAMILTON<br>v.<br>AALIZ HAMILTON               | Not for publication     |
|                         | Opinion filed. Judgment affirmed as modified.       |                         |
|                         | We concur: O'Leary, J.<br>Aronson, J.               | Rylaarsdam, Acting P.J. |

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 22, 2004 (Cont'd)**

CIVIL  
No.  
G032807

ORANGE COUNTY SOCIAL  
SERVICES AGENCY  
v.  
JENNIFER S. et al.

Not for publication

Opinion filed. Order affirmed.

Sills, P.J.

We concur: Bedsworth, J.  
Moore, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 23, 2004**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California, 92701. Panel members are Rylaarsdam, Acting P. J., O'Leary, J., Moore, J., and Fybel, J. M. Urena, Deputy Clerk attending.

|         |                                    |
|---------|------------------------------------|
| CIVIL   | CITY SERVICE CONTRACTING           |
| No.     | v.                                 |
| G032341 | OLEN COMMERCIAL REALTY ENCUMBRANCE |

Merits. Cause called. Glenn D. Dassoﬀ argues for appellant. Raymond T. Kaiser argues for respondent. Cause submitted.

|         |                                   |
|---------|-----------------------------------|
| CIVIL   | ALEX J. LLORENTE                  |
| No.     | v.                                |
| G031835 | JEFFREY LICHT & ASSOCIATES et al. |

Merits. Cause called. Alex J. Llorente argues for appellant. Jeffrey L. Licht argues for respondents Jeffrey Licht & Associates and Jeffrey L. Licht. David Barry Khan argues for respondent David Barry Khan. Cheryl A. Orr argues for respondent Lawyers Mutual Insurance Company. Cause submitted.

|         |                               |
|---------|-------------------------------|
| CRIM    | KENNETH R. OGEA               |
| No.     | v.                            |
| G033402 | SUPERIOR COURT;<br>THE PEOPLE |

Merits. Cause called. Lee Blumen, Deputy Public Defender argues for petitioner. Brian Fitzpatrick, Deputy District Attorney argues for real party in interest. Cause submitted.

|         |                                      |
|---------|--------------------------------------|
| CRIM    | JOSE A. GARCIA                       |
| No.     | v.                                   |
| G032739 | SUPERIOR COURT;<br>CITY OF SANTA ANA |

Merits. Cause called. Donald E. Landis, Deputy Public Defender argues for petitioner. Paula J. Coleman, Assistant City Attorney argues for real party in interest. Cause argued together with G032963 and G033597. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 23, 2004 (Cont'd)**

CRIM            JEREMY SEGURA  
No.            v.  
G032963      SUPERIOR COURT;  
                 CITY OF IRVINE POLICE DEPARTMENT

Merits. Cause called. Donald E. Landis, Deputy Public Defender argues for petitioner. J. Scott Tiedemann argues for real party in interest. Cause argued together with G032739 and G033597. Cause submitted.

CRIM            JOHN P. MILLER  
No.            v.  
G033597      SUPERIOR COURT;  
                 CITY OF COSTA MESA

Merits. Cause called. Donald E. Landis, Deputy Public Defender argues for petitioner. Marianne Milligan, Senior Deputy City Attorney argues for real party in interest. Cause argued together with G032739 and G032963. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 23, 2004 (Cont'd)**

|                         |   |                         |
|-------------------------|---|-------------------------|
| CIVIL<br>No.<br>G031285 | MICHAEL FRANK GOODWIN<br>v.<br>THE SUPERIOR COURT OF<br>ORANGE COUNTY;<br>THE PEOPLE      | Not for publication     |
|                         | Opinion filed. Petition granted; motion to augment and for judicial notice denied.        |                         |
|                         | We concur: Rylaarsdam, J.<br>O'Leary, J.  | Sills, P.J.             |
| CIVIL<br>No.<br>G032711 | MICHALE VON, as Administrator etc.<br>v.<br>LUCILLE GEORGE                                | Not for publication     |
|                         | Opinion filed. Order affirmed.  |                         |
|                         | We concur: Rylaarsdam, Acting P.J.<br>Bedsworth, J.                                       | O'Leary, J.             |
| CIVIL<br>No.<br>G031918 | CONCETTA V. ANDERSEN<br>v.<br>GREEN ACRES OF KERN COUNTY<br>HOMEOWNERS ASSOCIATION et al. | Not for publication     |
|                         | Opinion filed. Judgment affirmed.   |                         |
|                         | We concur: Fybel, J.<br>Ikola, J.   | Rylaarsdam, Acting P.J. |

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
April 23, 2004 (Cont'd)**

CIVIL  
No.  
G032519

COUNTY OF ORANGE  
v.  
CONTINENTAL HERITAGE  
INSURANCE CO.

Not for publication

Opinion filed. Judgment affirmed.

O'Leary, J.

We concur: Rylaarsdam, Acting P.J.  
Bedsworth, J.